

### Remarks/Arguments

Claims 1-10, 12-13 are pending.

Claims 1-10 are rejected.

Claim 11 is cancelled.

Claims 12-13 are new.

Claims 1 and 9 are amended to eliminate the language "e.g. phrases" that the Examiner objected to in the 35 U.S.C. 112, second paragraph rejection, and to eliminate the "or" language of the claim. Claim 1 is also amended to recite that ~~the data to be translated is the "original audio data"~~. Support for this amendment is found in the specification on page 5, lines 23 to page 6, line 1, and in other places.

Claim 5 is amended to eliminate the language "e.g. phrases" that the Examiner objected to in the 35 U.S.C. 112, second paragraph rejection.

Claims 12 and 13 are added to claim that the data being transmitted is over an Internet connection. Support for this amendment is from the elimination of the "e.g. Internet" language from Claims 1 and 9, before such "e.g." phrases were removed from the claims. Support for the new claims is found in the specification on page 6, lines 15-26, and in other places.

#### **A. 35 U.S.C. 112 Rejection of Claims 1-10**

The Examiner rejected Claims 1-10 under 35 U.S.C. 112, second paragraph, as being indefinite to particular point out and distinctly claim the subject matter which the Applicants regard as the invention. Applicant assert that with the amendments to the claims overcome such rejections, and request that the Examiner remove such rejections to Claims 1-10.

#### **B. 35 U.S.C. 102(e) Rejection of Claims 1-4, 6, 7, and 9-10**

The Examiner rejected Claims 1-4, 6, 7, and 9-10 as being anticipated under 35 U.S.C. 102(e) by Malkin et al. (U.S. Patent # 6,317,795, hereafter referred to as 'Malkin'). Applicants disagree with the Examiner's rejection.

The Examiner rejects Claim 1 by citing that Malkin discloses the claimed functionality of receiving translated audio or subtitle data (see page 5, third paragraph of the Office Action). As amended, the Applicants invention is distinguished over Malkin by claiming that only "at least one of audio and subtitle translation data set corresponding to said third identification information data" is received. That is, only the translated audio and/or subtitle data is received by the claimed device where the video that rendered with the translated audio/subtitle data is "said video data that was originally received".

In contrast, disclosed server of Malkin modifies the complete audio and video signal before it is translated to a client (Malkin, col. 7, lines 1-4). Hence, the operation of Malkin would require a much higher bandwidth path and would perform more processing (as both video and audio data are modified) than what

is needed in the invention of Claim 1 where the translated audio and/or subtitle information and the original video is used in the claimed reproduction step.

The same rationale for Claim 1 also applies to Claim 9 that is an apparatus claim version of method Claim 1.

For the forgoing reasons given above, Applicants assert that Claims 1 and 9 are patentable. In addition, Applicants assert that Claims 2-4, 6-7 and Claim 10 are patentable, as such claims depend on allowable Claims 1 and 9, respectively.

#### **C. 35 U.S.C. 103(a) Rejection of Claim 5**

The Examiner rejected Claim 5 under 35 U.S.C. 103(a) as being unpatentable over Malkin in view of Young et al (U.S. Patent # 5,353,121, hereafter referred to as 'Young').

Applicants assert that Claim 5 is patentable; as such a claim depends on allowable Claim 1. Hence, Applicants request that the Examiner remove the rejection to this claim.

#### **D. 35 U.S.C. 103(a) Rejection of Claim 8**

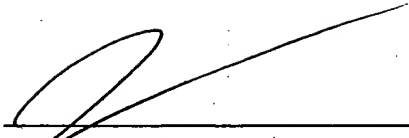
The Examiner rejected Claim 8 under 35 U.S.C. 103(a) as being unpatentable over Malkin in view of Qian et al (U.S. Patent # 6,070,167, hereafter referred to as 'Qian').

Applicants assert that Claim 8 is patentable; as such a claim depends on allowable Claim 1. Hence, Applicants request that the Examiner remove the rejection to this claim.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6809, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Applicants request a three-month extension under 37 C.F.R. 1.136(a) to file this response. Applicants also are filing this response with a Request for Continuing Examination. Please charge the fees for these requests and any additional owed fees to Deposit Account 07-0832.

Respectfully submitted,



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